

AMENDMENTS TO THE DRAWINGS

Please replace originally filed Figures 1 and 2 with the attached replacement sheets for Figures 1 and 2. As shown in the attached Annotated sheets, the change includes labeling Figures 1 and 2 as "Prior Art". No new matter has been added.

REMARKS

Claims 1-8 and 10-12 are pending. Claims 1, 4, 7, 8, 10 and 11 have been amended. Claims 9 and 13 have been cancelled without prejudice. Figures 1 and 2 have been labeled "Prior Art," as required in the Office Action. Favorable reconsideration is respectfully requested.

Initially, it is respectfully requested that the Examiner acknowledge the filing of the priority documents in the International stage of this National Stage application. Boxes are provided for this acknowledgment at 12(a)(3) on the Office Action summary. Proof of USPTO receipt of these documents is in the Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 C.F.R. 1.495, which was mailed on March 7, 2007.

Claims 1-13 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. Without conceding the propriety of the rejection, the above amendments to claims 1, 11 and 12 are believed to clearly overcome the rejection and its withdrawal is respectfully requested.

Claims 1-13 were rejected under 35 U.S.C. § 101 at two locations in the Office Action. It appears from the Examiner's comments that the method claims are being objected to under In re Bilski. Independent method claim 1 has been amended to recite the apparatus on which the method is performed. Withdrawal of the rejection is requested.

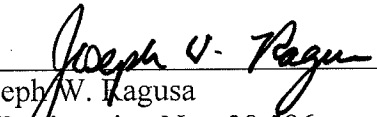
The Section 101 rejection also appears to be based on the Examiner's view that only a mathematical algorithm is being recited. Applicants wish to point out that the original claims did recite a practical use, that is, computing a threshold used in a demodulating QAM signal. However, to even more explicitly recite the practical use of the resultant data, each independent claim recites that the QAM signal is received by the communication receiver, and that the computed soft bits are output to a turbo decoder in the receiver, which has a well-known function in the art of communication receivers.

The amended claims are believed clearly to recite statutory subject matter and comply with Section 101. Withdrawal of the rejection is respectfully requested.

In view of the above amendments and remarks, applicant believes the pending application is in condition for allowance.

Dated: September 3, 2009

Respectfully submitted,

By 
Joseph W. Ragusa
Registration No.: 38,586
DICKSTEIN SHAPIRO LLP
1633 Broadway
New York, New York 10019-6708
(212) 277-6500
Attorney for Applicant